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EXAMINER	
SINGH, SATWANT K	

ART UNIT	PAPER NUMBER
2625	

NOTIFICATION DATE	DELIVERY MODE
08/21/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/780,566	OTSUJI ET AL.	
	Examiner	Art Unit	
	SATWANT K. SINGH	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 May 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *6-8,11,13 and 14* is/are pending in the application.

4a) Of the above claim(s) *1-5,9,10,12 and 15* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *6-8,11,13 and 14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *05/05/08*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Claims 1-5, 9, 10, 12, and 15 withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected group, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 09, May 2008.

Applicant's election with traverse of Election/Restriction in the reply filed on 09 May 2005 is acknowledged. The traversal is on the ground(s) that the claims in group IV and the claims in group II both relate to a portable terminal with photographic means. This is found to be persuasive and the claims in group IV and group II have been merged. Additionally, paragraph 4 in the office action dated 09 April 2008 should have read Inventions III and IV instead of inventions I and II.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 6 is rejected under 35 U.S.C. 102(e) as being anticipated by Hamaguchi et al. (US 7,014,374).

4. Regarding Claim 6, Hamaguchi et al discloses a portable terminal including photographing means (Fig. 10, external device is a digital camera 8) comprising: output request transmission means for transmitting an output request for information to an information management apparatus which allows an output apparatus to output the information (Fig. 10, S213, external device sends a confirm request signal for confirming whether or not the printer supports a profile for image data) (col. 14, lines 20-30); inquiry signal receiving means for receiving an inquiry signal transmitted from said information management apparatus in response to said output request for inquiring said portable terminal of an output apparatus for an output destination (Fig. 10, S223, printer receives the confirm request and searches for a service record with which it is provided) (col. 14, lines 29-45); and image data transmission means for transmitting identification information tagged to said output apparatus for identifying this particular output apparatus and image data photographed with said photographing means to said information management apparatus, when an inquiry signal is received by said inquiry signal receiving means (Fig. 10, S215, the external device sends to the printer, the data that are to be printed to the print paper) (col. 14, lines 61-67, col. 15, lines 1-5).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 7, 8, 11, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamaguchi et al in view of Stern et al. (US 2002/0165801).

7. Regarding Claim 7, Hamaguchi et al fails to teach a portable terminal wherein, said image data transmission means transmits identification information tagged to goods for identifying this particular goods and image data photographed with said photographing means to said information management apparatus.

Stern et al teaches a portable terminal wherein, said image data transmission means transmits identification information tagged to goods (image of an image identifier is captured) (page 2, paragraph [0023]) for identifying this particular goods and image data photographed with said photographing means to said information management apparatus (the captured image is transmitted) (page 2, paragraphs [0023]-[0025]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Hamaguchi with the teaching of Stern transmit an identifier along with the image of an item in order to identify, track and manage the items

8. Regarding Claim 8, Hamaguchi et al teaches a portable terminal comprising: output request transmission means for transmitting image data photographed by said photographing means (Fig. 10, S215, the external device sends to the printer, the data that are to be printed to the print paper) (col. 14, lines 61-67, col. 15, lines 1-5) and an output request for information to an information management apparatus which allows to output information (Fig. 10, S213, external device sends a confirm request signal for

confirming whether or not the printer supports a profile for image data) (col. 14, lines 20-30).

Hamaguchi et al fails to teach a portable terminal comprising: photographing means for photographing identification information to obtain image data, said identification information being tagged to an output apparatus for identifying this particular output apparatus.

Stern et al teaches a portable terminal comprising: photographing means for photographing identification information to obtain image data (one of client devices captures an image if and item identifier and transmits the image to central server) (page 3, paragraph [0035]), said identification information being tagged to an output apparatus for identifying this particular output apparatus (captured image is transmitted to a central server having a service contract with a user of a client device) (page 3, paragraph [0035]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Hamaguchi with the teaching of Stern transmit an identifier along with the image of an item in order to identify, track and manage the items

9. Regarding Claim 11, Hamaguchi et al teaches an information outputting method in an information output system having an output apparatus for outputting goods information and an information management apparatus connecting each other through a network, the method comprising: an output request transmission step for transmitting an output request for the information relevant to said goods using said portable terminal to

said information management apparatus receiving it (Fig. 10, S213, external device sends a confirm request signal for confirming whether or not the printer supports a profile for image data) (col. 14, lines 20-30); an inquiry signal transmission step for transmitting an inquiry signal for inquiring said portable terminal of an output apparatus for an output destination (Fig. 10, S213, external device sends a confirm request signal for confirming whether or not the printer supports a profile for image data) (col. 14, lines 20-30), from said information management apparatus to said portable terminal receiving it , when said information management apparatus receives the inquiry signal in said output request transmission step (Fig. 10, S223, printer receives the confirm request and searches for a service record with which it is provided) (col. 14, lines 29-45); a second image data transmission step for transmitting image data of identification information tagged to an output apparatus for identifying it, photographed by said portable terminal, to said information management apparatus receiving it (Fig. 10, S215, external device sends to the printer the data that are to be printed) (col. 14, lines 61-67, col. 14, lines 1-5), when said portable terminal receives the inquiry signal in said inquiry signal transmission step (Fig. 10, S225, when a printer receives this connection request signal, it sends a signal indicating that connection has been completed to the external device) (col. 14, lines 46-60); a second identification information acquisition step for analyzing image data received by said information management apparatus in said second image data transmission step, and for acquiring the identification information of the goods involved in said image data (according to the profile for image data, image data are sent from the external device to the printer using the logic channel CH2) (col.

14, lines 61-67, col. 14, lines 1-5); an output destination information retrieval step for retrieving the information relevant to said output apparatus from said output apparatus information storage means using said information management apparatus, based upon the identification information acquired in said second identification information acquisition step according to the profile for image data (consequently the printer uses the logic channel CH2 to receive the image data) (col. 14, lines 61-67, col. 14, lines 1-5), image data are sent from the external device to the printer using the logic channel CH2) (col. 14, lines 61-67, col. 14, lines 1-5); and an information output step for outputting the information relevant to the goods, retrieved in said goods information retrieval step, using said information management apparatus, based upon the information relevant to the particular output apparatus retrieved by said output destination information retrieval step, outputting the information to said particular output apparatus (the external device sends to the printer, the data that are to be printed to the print paper) (col. 14, lines 61-67, col. 15, lines 1-5).

Hamaguchi et al fails to teach an information outputting method in an information output system, in which the information management apparatus includes an output apparatus information storage means for storing information relevant to said output apparatus and goods information storage means for storing information relevant to goods, and specifies an output apparatus to output information based upon information transmitted from a portable terminal, the method comprising: a first image data transmission step for transmitting image data of identification information tagged to goods for identifying it, photographed by said portable terminal, to said information

management apparatus receiving it; a first identification information acquisition step for analyzing image data received by said information management apparatus in said first image data transmission step, and for acquiring the identification information of the goods involved in said image data; goods information retrieval step for retrieving the information relevant to said goods from said goods information storage means using said information management apparatus, based upon the identification information acquired in said first identification information acquisition step.

Stern et al teaches an information outputting method in an information output system, in which the information management apparatus includes an output apparatus information storage means for storing information relevant to said output apparatus (Fig. 4, data storage device 290) (page 4, paragraph [0049]) and goods information storage means for storing information relevant to goods (Fig. 4, item information database 296) (page 4, paragraph [0047]), and specifies an output apparatus to output information based upon information transmitted from a portable terminal (captured image is transmitted to a central server having a service contract with a user of a client device) (page 3, paragraph [0035]), the method comprising: a first image data transmission step for transmitting image data of identification information tagged to goods for identifying it, photographed by said portable terminal, to said information management apparatus receiving it (one of client devices captures an image of an item identifier and transmits the image to central server) (page 3, paragraph [0035]); a first identification information acquisition step for analyzing image data received by said information management apparatus in said first image data transmission step, and for acquiring the identification

information of the goods involved in said image data (central server receives the image, determines the type of item identifier represented in the image, and decodes the item identifier) (page 3, paragraph [0035]); goods information retrieval step for retrieving the information relevant to said goods from said goods information storage means using said information management apparatus, based upon the identification information acquired in said first identification information acquisition step (the receiving information provider returns the associated item information to the central server, which in turn transmits the item information back to the client device from which the image was received) (page 3, paragraph [0035]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Hamaguchi with the teaching of Stern transmit an identifier along with the image of an item in order to identify, track and manage the items

10. Regarding Claim 13, Hamaguchi et al teaches an information outputting method in an information output system having an output apparatus for outputting information and an information management apparatus connecting each other through a network, the method comprising: an output request transmission step for transmitting an output request for the information relevant to said goods using said portable terminal to said information management apparatus receiving it (Fig. 10, S213, external device sends a confirm request signal for confirming whether or not the printer supports a profile for image data) (col. 14, lines 20-30); an inquiry signal transmission step for transmitting an inquiry signal, for inquiring said portable terminal of an output apparatus for an output

destination (Fig. 10, S213, external device sends a confirm request signal for confirming whether or not the printer supports a profile for image data) (col. 14, lines 20-30), from said information management apparatus to said portable terminal receiving it, when said information management apparatus receives the inquiry signal in said output request transmission step (Fig. 10, S223, printer receives the confirm request and searches for a service record with which it is provided) (col. 14, lines 29-45); a second image data transmission step for transmitting image data of identification information tagged to an output apparatus for identifying it photographed by said portable terminal, to said information management apparatus receiving it (Fig. 10, S215, external device sends to the printer the data that are to be printed) (col. 14, lines 61-67, col. 14, lines 1-5) when said portable terminal receives the inquiry signal in said inquiry signal transmission step (Fig. 10, S225, when a printer receives this connection request signal, it sends a signal indicating that connection has been completed to the external device) (col. 14, lines 46-60); a second identification information acquisition step for analyzing image data received by said information management apparatus in said second image data transmission step, and for acquiring the identification information of the output apparatus involved in said image data (according to the profile for image data, image data are sent from the external device to the printer using the logic channel CH2) (col. 14, lines 61-67, col. 14, lines 1-5); a second converting step for converting the identification information of the output apparatus acquired in said second identification information acquisition step into global identification information (CPU, with respect to the data that are received from the port chooses the control parameters for printing

images and creates print data based on those control parameters) (col. 15, lines 38-58); a second information retrieval step for retrieving the information relevant to said output apparatus from said information storage means using said information management apparatus, based upon the global identification information converted in said second converting step (consequently the printer uses the logic channel CH2 to receive the image data) (col. 14, lines 61-67, col. 14, lines 1-5), image data are sent from the external device to the printer using the logic channel CH2) (col. 14, lines 61-67, col. 14, lines 1-5); and an information output step for outputting the information relevant to the goods, retrieved in said first information retrieval step, using said information management apparatus, based upon the information relevant to the particular output apparatus retrieved by said output destination information retrieval step, outputting the information to said particular output apparatus (the external device sends to the printer, the data that are to be printed to the print paper) (col. 14, lines 61-67, col. 15, lines 1-5).

Hamaguchi et al fails to teach an information outputting method in an information output system in which the information management apparatus includes an information storage means for storing information relevant to said output apparatus and to goods, linking global identification information uniformly tagged to any output apparatus and to different kinds of goods, and specifies an output apparatus to output information based upon information transmitted from a portable terminal, the method comprising: a first image data transmission step for transmitting image data of identification information tagged to goods for identifying it, photographed by said portable terminal, to said information management apparatus receiving it; a first identification information

acquisition step for analyzing image data received by said information management apparatus in said first image data transmission step, and for acquiring the identification information of the goods involved in said image data; a first converting step for converting identification information of the goods acquired in said first identification information acquisition step into global identification information; a first information retrieval step for retrieving the information relevant to said goods from said information storage means using said information management apparatus, based upon the global identification information converted in said first converting step.

Stern et al teaches an information outputting method in an information output system in which the information management apparatus includes an information storage means for storing information relevant to said output apparatus and to goods (Fig. 4, data storage device 290) (page 4, paragraph [0049]), linking global identification information uniformly tagged to any output apparatus and to different kinds of goods (an item identifier may comprise a barcode, an image, text, or any other device usable to identify an item) (page 2, paragraph [0024]), and specifies an output apparatus to output information based upon information transmitted from a portable terminal (captured image is transmitted to a central server having a service contract with a user of a client device) (page 3, paragraph [0035]), the method comprising: a first image data transmission step for transmitting image data of identification information tagged to goods for identifying it, photographed by said portable terminal, to said information management apparatus receiving it (one of client devices captures an image of an item identifier and transmits the image to central server) (page 3, paragraph [0035]); a first

identification information acquisition step for analyzing image data received by said information management apparatus in said first image data transmission step, and for acquiring the identification information of the goods involved in said image data (central server receives the image, determines the type of item identifier represented in the image, and decodes the item identifier) (page 3, paragraph [0035]); a first converting step for converting identification information of the goods acquired in said first identification information acquisition step into global identification information (central server decodes the item identifier) (page 3, paragraph [0035]); a first information retrieval step for retrieving the information relevant to said goods from said information storage means using said information management apparatus, based upon the global identification information converted in said first converting step (the receiving information provider returns the associated item information to the central server, which in turn transmits the item information back to the client device from which the image was received) (page 3, paragraph [0035]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Hamaguchi with the teaching of Stern transmit an identifier along with the image of an item in order to identify, track and manage the items

11. Regarding Claim 14, Hamaguchi teaches an information outputting method in an information output system having an output apparatus for outputting information (Fig. 1, printer 1) and an information management apparatus (Fig. 1, controller 50) connecting each other through a network, in which the information management apparatus includes

an output apparatus information storage means for storing information relevant to said output apparatus (controller is provided with a CPU, a RAM and a ROM) (page 7, lines 58-67, col. 8, lines 10)and specifies an output apparatus to output information based upon information transmitted from a portable terminal (controller sends and receives signals to and from an external device), the method comprising: an output request transmission step for transmitting the image data photographed in said image data photographing step (Fig. 10, S215, external device sends to the printer the data that are to be printed) (col. 14, lines 61-67, col. 14, lines 1-5) and an output request for information, from said portable terminal to said information management apparatus receiving them (Fig. 10, S213, external device sends a confirm request signal for confirming whether or not the printer supports a profile for image data) (col. 14, lines 20-30); an output destination information retrieval step for retrieving the information relevant to said output apparatus from said output apparatus information storage means, based upon the identification information acquired in said identification information acquisition step (Fig. 10, S223, the printer receives the confirm request signal and searches for a service record with which it is provided) (col. 14, lines 27-38); and an information output step for outputting the information to the output apparatus, based upon the information relevant to the particular output apparatus retrieved by said output destination information retrieval step, outputting the information to said particular output apparatus (functions supported by the printer confirmed by using the confirm request signal as the key) (col. 14, lines 20-45).

Hamaguchi et al fails to teach an information outputting method, the method comprising: an image data photographing step for obtaining image data of identification information tagged to an output apparatus identifying it, photographed by said portable.

Stern et al teaches an information outputting method, the method comprising: an image data photographing step for obtaining image data of identification information tagged to an output apparatus identifying it, photographed by said portable (image of an image identifier is captured and transmitted) (page 2, paragraph [0023]-[0025]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Hamaguchi with the teaching of Stern transmit an identifier along with the image of an item in order to identify, track and manage the items

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SATWANT K. SINGH whose telephone number is (571)272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Satwant K. Singh
Examiner
Art Unit 2625

Sks

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625